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February 5, 2024

So ordered. The Clerk of Court is directed to terminate the letter motion at Dkt. 165 as moot.

**VIA ECF**

The Honorable Robert W. Lehrburger  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 18D  
New York, NY 10007

SO ORDERED:

2/5/2024

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Re: *Hafizov v. BDO USA, LLP, et al.*; Case No.: 1:22-cv-08853 (JPC) (RWL)

Dear Magistrate Judge Lehrburger:

Defendants BDO USA, P.C., Janet Bernier and Matthew Dyment (together, the “Defendants”) write with the consent of Plaintiff Rinat Hafizov (“Plaintiff”), and respectfully submit this letter pertaining to Defendants’ pre-motion letter requesting a Protective Order, filed on February 5, 2024. See Dkt. No. 165.

This afternoon, counsel for both Parties agreed that Mr. Dennis Sweeney’s deposition would not take place on February 9, 2024, and the Parties are now cooperating to select a mutually agreeable date for Mr. Sweeney’s deposition.

Accordingly, Defendants’ motion is now moot, and Defendants respectfully withdraw their motion.

Respectfully,

A handwritten signature of Lindsay F. Ditlow.

Lindsay F. Ditlow

cc: All counsel (via ECF)